

REMARKS

Claims 1, and 5-15 remain in the application. Claims 2-4 have been cancelled. Claims 1, and 5-7 have been amended. Claims 8-11 were previously withdrawn from consideration. Claims 12-15 have been added. Claims 1 and 12 are in independent form.

1-2. The Examiner has acknowledged Applicant's election without traverse of Species #1 in the reply received on July 17, 2006.

3-4. The Examiner has objected to the abstract of the disclosure in the specification because the abstract exceeds the 150-word limit. In response, Applicant has submitted a new abstract of the disclosure that conforms to the 150-word limit. Applicant has also instructed the Examiner to cancel the previously submitted abstract of the disclosure.

5-6. Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by European Patent 1,178,172 to Kalsi ("the '172 reference").

However, the Examiner has objected to claim 4 as being dependent upon a rejected base claim (claim 1) but states that the same would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has amended claim 1 to clarify the invention by incorporating the allowable subject matter in claim 4 as well as the subject matter in intervening claims 2 and 3.

Thus, amended claim 1 claims an actuator for a latch including the limitation of first and second levers *articulated via a ball and fork linkage*. The '172 reference does not disclose an actuator including first and second levers articulated via a ball and fork linkage.

Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(b) of claim 1, and claims 2-3 depending therefrom, as being anticipated by the '172 reference be withdrawn.

7-8. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the '172 reference as applied to claim 3, and further in view of United States Patent 4,518,181 to Yamada ("the '181 reference"). Applicant respectfully traverses the rejection.

Claim 7 depends from claim 1 and, as such, is construed to incorporate by reference all of the limitations of the claim to which it refers, *see* 35 U.S.C. § 112, fourth paragraph. Amended claim 1 claims first and second levers articulated via a ball and fork linkage. Claim 7 must be read as including the limitation of first and second levers being articulated via a ball and fork linkage and is therefore also allowable.

Therefore, Applicant respectfully requests that the rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over the '172 reference in view of the '181 reference be withdrawn.

9. The Examiner has objected to claims 5 and 6 as being dependent upon a rejected base claim. Applicant has amended claim 1 to include the allowable subject matter in claim 4 and the subject matter in intervening claims 2 and 3. Claims 5 and 6 depend from amended claim 1 and are therefore also allowable.

10. Applicant has added new claims 12-15. New independent claim 12 incorporates the allowable subject matter in claim 5 as well as the subject matter in intervening claims 2 and 3 with original claim 1. Claims 13-15 depend from new independent claim 12 and are therefore also allowable.

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-1759. A duplicate of this form is attached.

Appl'n No: 10/525,084
Amdt dated November 30, 2006
Reply to Office action of September 8, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'RW Asher', written over a horizontal line.

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ABSTRACT

A power actuator assembly for a latch includes first and second levers articulated via a ball and fork linkage. The first lever includes a cam follower. The second lever includes a lever stop which pivots between first and second positions as the first and second levers travel between first and second positions. A cam has a cam driving member and a cam stop member. A power actuator operatively engages the cam to drive the cam. The cam driving member has a travel path engaged with the cam follower for a portion of the travel path and disengaged from the cam follower for another portion of the travel path. The cam stop abuts the lever stop when the cam driving member is in the disengaged position, whereby the first and second levers may be activated without driving the cam. The assembly can be employed in a lock or power release application.